

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
CHATTANOOGA DIVISION

JEFF BANKER and SAMMYE BANKER,

Plaintiffs,

v.

FIFTY PLUS RACING
FOUNDATION, INC., OLTHOFF
RACING, INC., DENNIS OLTHOFF,
JOHN DOE and JOHN DOE
CORPORATION

Defendants.

Civil Action File No.
1:20-CV-00228-DCLC-CHS

STIPULATION OF DISMISSAL

COME NOW Plaintiffs Jeff Banker and Sammye Banker and Defendants Fifty Plus Racing Foundation, Inc., Olthoff Racing, Inc. and Dennis Olthoff and pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, by and through their undersigned counsel of record, hereby stipulate and agree to the dismissal with prejudice of the above-captioned action. Except as otherwise agreed between the parties, each party shall bear its own attorneys' fees and costs.

Respectfully submitted this 29th day of April, 2021.

Signatures on following page

<p>FRIED GOLDBERG LLC</p> <p><i>/s/ Michael L. Goldberg</i> MICHAEL L. GOLDBERG Tennessee BPR No.: 035863 3550 Lenox Road N.E. Suite 1500 Atlanta, GA 30326 404-591-1800 michael@friedgoldberg.com</p> <p><i>Counsel for Plaintiffs</i></p>	<p>BAKER, DONELSON, BEARMAN, Caldwell & Berkowitz, PC</p> <p><i>/s/ Joshua A. Powers</i> JOSHUA A. POWERS Tennessee BPR No.: 035863 633 Chestnut Street Suite 1900 Chattanooga, TN 37450 423-756-2010 jpowers@bakerdonelson.com</p> <p><i>Counsel for Defendant Fifty Plus Racing Foundation, Inc.</i></p> <p>PATTY & YOUNG, ATTORNEYS AT LAW, LLC</p> <p><i>/s/ Christopher M. Harris</i> CHRISTOPHER M. HARRIS Tennessee BPR No.: 032952 7731 Nashville Street Ringgold, GA 30736 706-935-9100 chrisharris@pattylaw.com</p> <p><i>Counsel for Defendants Dennis Olthoff and Olthoff Racing, Inc.</i></p>
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CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for Plaintiff with a copy of the within and foregoing STIPULATION OF DISMISSAL by filing same electronically with the Court through the CM/ECF system, which will automatically send email notification of this filing to the following counsel of record:

Joshua A. Powers
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Dated on April 29, 2021.

FRIED GOLDBERG LLC

/s/ Michael L. Goldberg
MICHAEL L. GOLDBERG
Tennessee BPR No.: 035863